

Serial No. 08/796,752

REMARKS:

In the Final Office Action mailed March 5, 2004, the Examiner allowed claims 3-5, 8, 9, 11 and 12 and rejected claims 22-25 under § 103.

In response, Applicants cancelled claims 22-25 and filed a Request for Reconsideration of the finality of the March 5, 2004 Office Action submitting that all outstanding rejections have been overcome and/or rendered moot because the rejected claims 22-25 were cancelled.

In the outstanding Office Action, the Examiner found Applicants' Request for Reconsideration and reopened prosecution of claims 3-5, 8, 9, 11 and 12. The Examiner indicates that claims 3-5, 8, 9, 11 and 12 recite allowable subject matter but are rejected under §112¶1 and §112¶2. In response, claims 3-5, 8, 9, 11 and 12 are hereby amended. Claims 1, 2, 6, 7, 10, 13-21 and 22-25 stand cancelled. No new matter is being presented.

Accordingly, because no further outstanding objections or rejections exist, it is submitted that the application is in condition for allowance.

Rejections Under 35 U.S.C. §112¶1 and §112¶2:

At items 4 and 5 of the outstanding Office Action, the Examiner rejected claims 3, 4, 8 and 11 under 35 U.S.C. §112¶1 and rejected claims 5, 8, 9 and 12 under 35 U.S.C. §112¶2, respectively.

Claims 3-5, 8, 9, 11 and 12 have been amended to comply with the requirements of §112¶1 and §112¶2.

Specifically, claims 3 and 4 are amended to recite, "data of said fourth signal having a given relationship with data in signals transmitted between at least k ($k \leq (n-1)$) radio base stations of said n-1 radio base stations and said terminal station". Claims 8 and 11 are amended to recite, "at least one summation means for generating a fourth signal by summing data of at least k ($k \leq (n-1)$) signals".

Claims 5, 9 and 12 are amended to recite, "at least one redundant radio base station n for transmission of data obtained by summing said n-1 signals".

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Claim 8 has been amended to recite, summing data of at least k ($k \leq (n-1)$) signals of said n-1 third signals of said second transmission rate every timeslots "for compensating data of the interrupted path between one of the radio stations transmitting said k signals and the terminal".

Accordingly, Applicants respectfully requests withdrawal of the rejections.

CONCLUSION:

There being no further outstanding rejections, the application is submitted to be in condition for allowance, which action is earnestly solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Finally, if there are any additional fees associated with filing of this response, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 7/29/04

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